

Application No.: 10/814,992
Amendment dated: April 26, 2007
Reply to Office Action of March 30, 2006
Attorney Docket No.: 56229-153 (ANAK-248)

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C. REMARKS / ARGUMENTS

1. Objection To Claims 1, 4, and 8

The Examiner has objected to claims 1, 4, and 8 because of a number of informalities.

Claims 1, 4, and 8 have been amended, in order to make the corrections requested by the Examiner. (See section B above).

Applicant submits that, as a result of these corrections, the Examiner's objections have been overcome.

2. Rejection of Claims 1, 4, 5, and 7-15 Under 35 U.S.C. § (112) ¶ 1

Claims 1, 4, 5, and 7-15 stand rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for determining voltage between a cathode and an x-ray emissive target, does not reasonably provide enablement for determining the operating voltage for other components in an x-ray apparatus.

In response, Applicant has amended independent claim 1 (see section B above), to include the limitation of operating the x-ray source in the x-ray apparatus at the first operating voltage level and the second operating voltage level. Claim 1 also includes the limitation that the first and second operating voltages are operating voltages of the x-ray source.

As stated by the Examiner in the Office Action, the specification does disclose determining and setting operating voltages in an x-ray source (e.g. an x-ray tube). See e.g. specification paragraph [0024] , 5th line: ". . . The kVp of the x-ray source 14, i.e. the x-ray source operating voltage, provides the accelerating voltage for accelerating the electrons from the electron source towards the x-ray emissive target 30. . . . "

Applicant therefore respectfully submits that the above-described amendments to claim 1 overcome the above §112 ¶ 1 rejection to these claims, as well as the §112 ¶ 1 rejection to claims 4-5 and 7-15 (all of which depend claim 1)

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3. Allowance of Claims 16, 18, and 20-22 Under 35 U.S.C. § 112 ¶ 2

Applicant notes with appreciation that Claims 16, 18 and 20-22 are now allowed.

4. Rejection of Claims 1, 2, 7, 8, and 11-15 under 35 U.S.C. § 102(b)

Claims 1, 2, 7, 8, 11, and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,501,819 to Unger et al. ("Unger").

In response, Applicant has amended independent claim 1 to recite that a single x-ray image is produced by irradiating the object during an x-ray exposure period, and to clarify that the x-ray exposure period recited in claim 1 (and claims dependant thereon) relates to a single x-ray image.

As acknowledged by the Examiner on page 8 of the Office Action, Unger "disclosed a method of adjusting exposure settings that comprises determining an operating voltage level based on a previous image and setting the operating voltage level of the x-ray source for the next image." In other words, Unger discloses adjusting exposure settings by determining and setting operating voltage levels for a next image, based on a previous different image.

Unger does not disclose determining and setting operating voltage levels for an image, based on that same image. More specifically, Unger does not disclose determining, during an x-ray exposure period for a single x-ray image, first and second operating voltage levels for that same single x-ray image, and operating at these first and second operating voltage levels during a same x-ray exposure period of the single x-ray image, as required by amended claim 1.

Accordingly, Applicant submits that independent claim 1, as currently amended, is allowable, and not anticipated by Unger.

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Claims 2, 7, 8, 11, and 15 all depend on claim 1, and therefore include all the limitations of claim 1. Claims 2, 7, 8, 11, and 15 are therefore also not anticipated by Unger.

5. Conclusion

On the basis of the foregoing amendments, Applicant respectfully submits that all of the pending claims are in condition for allowance. An early and favorable action is therefore earnestly solicited. If there are any questions regarding these amendments and remarks, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,

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Date: April 26, 2007